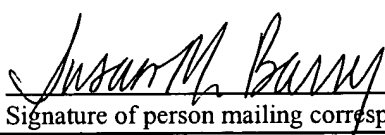


Receipt

FILE COPY

ATTORNEY DOCKET NO. 50026/012002

Certificate of Mailing: Date of Deposit: <u>January 11, 2001</u>	
I hereby certify under 37 CFR 1.8(a) that this correspondence is being deposited with the United States Postal Service as <b>first class mail</b> with sufficient postage on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.	
<u>Susan M. Barry</u>	
Printed name of person mailing correspondence	Signature of person mailing correspondence

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Keiya Ozawa et al.

Art Unit: 1645

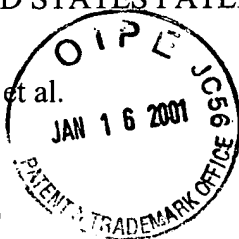
Serial No.: 09/577,084

Examiner: Not yet assigned

Filed: May 24, 2000

Title: GENE THAT IMPARTS SELECTIVE PROLIFERATIVE ACTIVITY

Assistant Commissioner For Patents  
Washington, D.C. 20231



TECH CENTER 1600/2900

APR 04 2001

RECEIVED

SECOND PETITION TO CORRECT FILING RECEIPT

Applicant requests that the attached filing receipt be corrected as follows:

Under Applicant(s):

Please replace "Tateyuki Nagashima" with the correct spelling --Takeyuki Nagashima--.

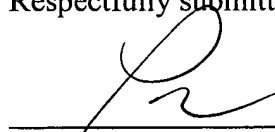
Attached is a copy of the incorrect filing receipt and a copy of the Combined Declaration and Power of Attorney with the inventor's correct signature.

If there are any charges, or any credits, please apply them to Deposit Account

No. 03-2095.

Respectfully submitted,

Date: Jan 11, 2001



Paul T. Clark  
Reg. No. 30,162

Clark & Elbing LLP  
176 Federal Street  
Boston, MA 02110  
Telephone: 617-428-0200  
Facsimile: 617-428-7045

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled GENE THAT IMPARTS SELECTIVE PROLIFERATIVE ACTIVITY, the specification of which

- ☐ is attached hereto.  
☒ was filed on May 24, 2000 as Application Serial No. 09/577,084  
and was amended on \_\_\_\_\_  
☐ was described and claimed in PCT International Application No. PCT/JP97/00687  
filed on March 5, 1997 and as amended under PCT Article 19 on \_\_\_\_\_

I hereby state that I have reviewed and understand the contents of the above-identified specification including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

Country	Serial Number	Filing Date	Priority Claimed?
PCT	PCT/JP97/00687	March 5, 1997	Yes
Japan	8/47796	March 5, 1996	Yes

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information I know to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Serial Number	Filing Date	Status
09/142,305	September 3, 1998	Pending

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Paul T. Clark, Reg. No. 30,162, Karen L. Elbing, Ph.D. Reg. No. 35,238, Kristina Bieker-Brady, Ph.D. Reg. No. 39,109, Susan M. Michaud, Ph.D. Reg. No. 42,885, Mary Rose Scozzafava, Ph.D., Reg. No.36,268, James D. DeCamp, Ph.D., Reg. No. 43,580, Sean J. Edman, Reg. No. 42,506, Timothy J. Douros, Reg. No. 41,716.

Address all telephone calls to: Paul T. Clark at 617/428-0200.

Address all correspondence to: Paul T. Clark at Clark & Elbing LLP, 176 Federal Street, Boston, MA 02110.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full Name (First, Middle, Last)	Residence Address (City, State, Country)	Post Office Address (Street, City, State, Country)	Citizenship
Keiia OZAWA	Tochigi, JAPAN	C-201, 3-1-3, Gion, Minamikawachi-machi, Kawachi-gun, TOCHIGI 329-0434 JAPAN	Japan
Signature:			Date:

Full Name (First, Middle, Last)	Residence Address (City, State, Country)	Post Office Address (Street, City, State, Country)	Citizenship
Katsuhisa ITOH	Ibaraki, JAPAN	B-906 Hohyu-palace, 13-2, Tohzaki-machi, Tsuchiura-shi, IBARAKI 300-0031 JAPAN	Japan
Signature:			Date:

Full Name (First, Middle, Last)	Residence Address (City, State, Country)	Post Office Address (Street, City, State, Country)	Citizenship
Tsuneaki SAKATA	Osaka, JAPAN	24-E-202, Kamishinden 1-chome, Toyonaka-shi, OSAKA 565-0085 JAPAN	Japan
Signature:			Date:

Full Name (First, Middle, Last)	Residence Address (City, State, Country)	Post Office Address (Street, City, State, Country)	Citizenship
Yasuji UEDA	Ibaraki, Japan	c/o DNAMEC Research Inc., 25-11, Kannondai 1-chome, Tsukuba-shi, IBARAKI 305-0856 JAPAN	Japan
Signature:			Date:

Full Name (First, Middle, Last)	Residence Address (City, State, Country)	Post Office Address (Street, City, State, Country)	Citizenship
Mamoru HASEGAWA	Ibaraki, Japan	c/o DNAMEC Research Inc., 25-11, Kannondai 1-chome, Tsukuba-shi, IBARAKI 305-0856 JAPAN	Japan
Signature:			Date:

Full Name (First, Middle, Last)	Residence Address (City, State, Country)	Post Office Address (Street, City, State, Country)	Citizenship
Takeyuki NAGASHIMA	Ibaraki, Japan	c/o DNAMEC Research Inc., 25-11, Kannondai 1-chome, Tsukuba-shi, IBARAKI 305-0856 JAPAN	Japan
Signature: <i>Takeyuki Nagashima</i>			Date: <i>December 20, 2000</i>



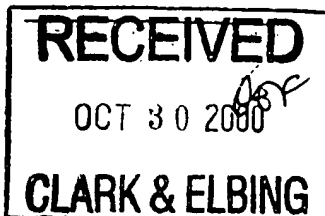
## UNITED STATES PATENT AND TRADEMARK OFFICE

COPY

 COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
 www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO.	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/577,084	05/24/2000	1645	410	50026/012002	24	20	2

Paul T Clark  
 Clark & Elbing LLP  
 176 Federal Street  
 Boston, MA 02110



## FILING RECEIPT



000000005492465

JAN 16 2001

Date Mailed: 10/20/2000

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Keiya Ozawa, Tochigi, JAPAN;  
 Katsuhisa Itoh, Ibaraki, JAPAN;  
 Tsuneaki Sakata, Osaka, JAPAN;  
 Yasuji Ueda, Ibaraki, JAPAN;  
 Mamoru Hasegawa, Ibaraki, JAPAN;  
 Takeyuki Nagashima, Ibaraki, JAPAN;

*Takeyuki Nagashima, Ibaraki, JAPAN*

Continuing Data as Claimed by Applicant

THIS APPLICATION IS A CIP OF 09/142,305 09/10/1999

## Foreign Applications

JAPAN 8/47796 03/05/1996  
 PCT/JP97/00687 03/05/1997

If Required, Foreign Filing License Granted 07/18/2000

\*\* SMALL ENTITY \*\*

## Title

Gene that imparts selective proliferative activity

Preliminary Class

435

001

---

**Data entry by : GIZAW, YEGILE**

**Team : OIPE**

**Date: 10/20/2000**

**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 36 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15 (b).

**PLEASE NOTE the following information about the Filing Receipt:**

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 600 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, DC 20231